

NOT TO BE PUBLISHED

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Butte)

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THE PEOPLE,

Plaintiff and Respondent,

v.

ELI ROBERT MACIAS,

Defendant and Appellant.

C047002

(Super. Ct. No. CM020180)

Defendant Eli Robert Macias entered a negotiated plea of no contest to receiving stolen property (Pen. Code, § 496, subd. (a)) in exchange for dismissal of the remaining counts with a waiver pursuant to *People v. Harvey* (1979) 25 Cal.3d 754, dismissal of case No. SCR41189, and a promise of no state prison at the outset. Accordingly, the court suspended imposition of sentence and granted formal probation for a term of three years. Defendant appeals. His request for a certificate of probable cause (Pen. Code, § 1237.5) was denied.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v.*

*Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

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SIMS, J.

We concur:

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SCOTLAND, P.J.

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CANTIL-SAKAUYE, J.